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Soil and sedimentation control legislation introduced

LANSING – Residential property owners doing regular work around their homes and in their yards would be exempt from soil erosion and sedimentation control permits and fees under legislation introduced this week by Sen. Jud Gilbert and Rep. Phil Pavlov.

“Homeowners who want to plant a garden or some trees shouldn’t need a permit or pay a fee to do so,” said Gilbert, R-Algonac. “Controlling soil erosion is absolutely essential, but common sense dictates that taxpayers should have the right to do certain things on their private property without getting the government’s permission first.”

This legislation would exempt residential activities like gardening, landscaping, fencing and other outdoor household maintenance from the permit requirements of Michigan’s soil and sedimentation control program.

The bill also would allow property owners to receive a general permit through their designated local soil and sedimentation control agency for seawall maintenance and repairs. The cost of this permit would be prohibited from exceeding the agency’s administrative costs.

“This legislation makes sense since currently it’s ridiculous that homeowners cannot landscape their yard without first getting a permit,” said Pavlov, R-St. Clair Township. “While soil erosion is an essential factor in evaluating the environment, we must also realize that putting a garden in your yard will not deteriorate it.”

The second piece of legislation eliminates the administrative costs a county soil and sedimentation control agency must pay the state if a consultant is hired to administer the county’s program.

Senate Bills 282-283 and House Bills 4443-4 have been referred to Senate and House committees for consideration.

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